

CPA 1615#

|  |   |                                    |
|--|---|------------------------------------|
|  | <b>CONTINUED PROSECUTION APPLICATION (CPA)<br/>REQUEST TRANSMITTAL</b>  | <input type="checkbox"/> DUPLICATE |
|  | Submit an original, and a duplicate for fee processing<br>(Only for Continuation or Divisional applications under 37 CFR 1.53(d)) |                                    |

|   |                     |                       |
|---|---------------------|-----------------------|
| Address to:<br><b>Assistant Commissioner for Patents<br/>Box CPA<br/>Washington, DC 20231</b> | Attorney Docket No. | 0010-1106-0           |
|   | First Inventor      | Hitoo NISHINO         |
|   | Group Art Unit      | 1615                  |
|   | Examiner            | KISHORE, GOLLAMUDI S. |

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number 09/556,701 filed on APRIL 24, 2000 entitled **PHARMACEUTICAL OR FOOD COMPOSITION FOR TREATMENT OR PREVENTION OF BRAIN EDEMA**

11/Reg under 1.53(d)

1. ☐ Enter the unentered amendment previously filed under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A Preliminary Amendment w/Marked-Up Copy is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4)
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

Set 3-7-02

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| CLAIMS      | NUMBER FILED |  | NUMBER EXTRA | RATE                        | CALCULATIONS    |
|-------------|--------------|--|--------------|-----------------------------|-----------------|
| TOTAL       | 12           | MINUS  | 20           | 0                           | x \$18 = \$0.00 |
| INDEPENDENT | 1            | MINUS  | 3            | 0                           | x \$84 = \$0.00 |
|             |              | <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS                   |              | + \$280 =                   | \$0.00          |
|             |              |  |              | BASIC FEE                   | \$740.00        |
|             |              |  |              | TOTAL OF ABOVE CALCULATIONS | \$740.00        |
|             |              | <input type="checkbox"/> Reduction by 50% for filing by Small Entity |              |                             | \$0.00          |
|             |              |  |              | TOTAL                       | \$740.00        |

6. Small Entity Status:
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
  - 7. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 for the papers being filed herewith and for which no check is enclosed, or credit any overpayment to Deposit Account No. **15-0030**.
    - ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time in the parent case. Any fees required for such an extension of time may be charged to Deposit Account No. **15-0030**.
  - 8. ☒ A check in the amount of **\$740.00** is enclosed.
  - 9. ☐ Other:

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon  
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

Hitoo NISHINO et al.

SERIAL NO: 09/556,701

FILED: APRIL 24, 2000

FOR: PHARMACEUTICAL OR FOOD COMPOSITION FOR  
TREATMENT OR PREVENTION OF BRAIN EDEMA

:

: GROUP ART UNIT: 1615

: EXAMINER: KISHORE, GOLLAMUDI S.

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Be  
3-9-02

PRELIMINARY AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the Official Action dated November 28, 2001, and in conjunction with the request for continued prosecution submitted herewith, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

IN THE CLAIMS

Please cancel Claims 13 and 15.

REMARKS

Claims 1-12 are pending. Favorable reconsideration is respectfully requested.